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CHARTERS AND WRITS

1318 -- 1543

For Private Circulation.

CHARTERS AND WRITS

CONCERNING THE

ROYAL BURGH OF HADDINGTON

1318 -- 1543

Transcribed and Translated by
John George
J. G. WALLACE-JAMES, M.B.

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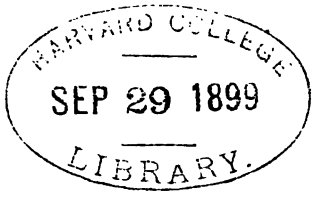

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PREFACE.

The following Deeds are all, with the exceptions noted, preserved in the Charter Room of the Royal Burgh of Haddington. In spite of the various vicissitudes that the Burgh has suffered from its "auld ynemies of England," those Deeds have been kept in perfect preservation. During the occupation of the Burgh by the English, when besieged by the Scots and their French auxiltaries, the "evidentis" were taken and held to ransom, as, in the few Treasurer's account books that still remain of the sixteenth century, similar entries to the following occur :—

> "Item, to Robert Maitland for agayne gettin of ye haill evidentis pertening to ye towne furcht of ye Inglismannis handis of yeirly pensioun during his lyftyme, viii. Merkis."

The Seals, unfortunately, have not fared so well, a small part of the centre of Robert the Bruce's Seal only remaining. The Seals attached to the Charter of Robert II., and to the letter of James III. are in an even more fragmentary state. The other Royal Seals are totally destroyed.

The Indenture between the Burgh and Maitland of Lethington is of interest, as it bears the signature of Richard Maitland, the poet. Sir Richard not only wrote poetry in his old age, but it is to him that we owe what we know of the poetry of Scotland before his time. The old blind statesman dictating his poetry to his daughter, Margaret, forms a pathetic picture—

> "Heir Lethington, the statisman, courts the nyne,
> Draps politicks a quhyle and turns divyne,
> Sings the Creation, and fair Eden tint,
> And promise made to man, man durst not hint."

The Seal attached is broken; the legend is indistinct, but the shield bears the Lion Rampant of Maitland. The corresponding part of the Indenture was destroyed, along with many

other Maitland Writs, during the troubles in the seventeenth century. The Writs, in three iron chests, were for safety, after the Battle of Dunbar, hidden underground in the court-yard of Balcarres Castle. When more settled times arrived, after the restoration of Charles II., the chests were dug up, but it was found that "the same (Writs) have been totallie spoiled and losed be under-water coming in throw the ioyneing and seems of the saidis chists."

The following, from the Burgh Books, refers to the Charter by James V.:—

> "Feb. 1542.—John Crummye to get a pension of 20 lib for life for getting a Greit Charter from King James V. for the brugh."

The Burgh of Haddington may be regarded as rich in records in spite of its proximity to the English Border and its position directly on the line of march between the South and Edinburgh. The more recent Deeds may be afterwards dealt with.

J. G. WALLACE-JAMES, M.B.

Tyne House, Haddington.

CHARTERS AND WRITS.

CHARTER by Robert the Bruce, under his Great Seal, confirming all their rights to the Burgesses of Haddington, and granting them freedom from Toll and Custom throughout the Kingdom, exclusive Rights of Trade within the Sheriffdom of Haddington, and a general protection for all going to or returning from the Burgh.—Scone, 6th Dec., 1318.

(Original in Burgh Charter Room.)

ROBERTUS DEI GRATIA REX SCOTTORUM. —Omnibus probis hominibus totius terre sue. Salutem. Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse Burgo nostro de Hadingtoun et burgensibus nostris in eodem Burgo nostro manentibus omnia jura libertates et privilegia que vel quas iidem burgenses nostri temporibus nostris sive alicujus antecessorum nostrorum aliquo tempore hactenus habuerunt et possiderunt seu habere debuerunt cum omnibus libertatibus Burgi adeo libere sicut alii Burgi nostri communiter infra regnum nostrum de nobis liberius et quietecius tenentur et possidentur. Concessimus etiam Burgensibus nostris de Hadingtoun qui in eodem Burgo erunt ut quieti sint imperpetuum de Toloneo et consuetudine de diversis Catallis suis per totum regnum nostrum Scocie. Quare firmiter prohibemus nequis eos contra hanc concessionem nostram injuste vexare presumat ab eis exigendo Toloneum aut consuetudinem de diversis catallis suis. Prohibemus etiam nequis infra vicecomitatum nostrum de Hadingtoun

emat lanas vel correa vel aliquam aliam mercaturam excerceat vel pannum latum et tinctum aut tonsum faciat preter burgenses nostros de Hadingtoun. Item ne aliquis alius mercator infra dictum vicecomitatum nostrum de Hadingtoun vel in eodem Burgo nostro aliquam mercaturam emat nisi a predictis Burgensibus de Hadingtoun super nostram plenariam forisfacturam. Si quis vero aliquis mercator inventus fuerit in dicto vicecomitatu nostro de Hadingtoun emens lanas correa vel aliquam aliam mercaturam vel aliquid consimile excerceatur corpus ejus per Burgenses nostros de Hadingtoun capiatur, bona sua, sic empta ad Burgum nostrum de Hadingtoun conducantur, et Burgensibus nostris ejusdem per escaeta efficiantur. Corpus que ibidem dicti emptoris detineatur donec de eo voluntatem nostram ordinaverimus. Et quod omnes qui ligna aut mercimuniam attrahunt ad dictum Burgum nostrum de Hadingtoun sustintandum de quocunque bosco vel de quocunque feodo fuerint firmam pacem et protectionem nostram habeant Itaque ullus eos namare vel vexare presumat injuste in via nostra regia in eundo ad dictam villam de Hadingtoun vel redeundo ab eadem super nostram plenariam forisfacturam. Voluimus insuper quod dicti burgenses nostri de Hadingtoun adeo libere habeant et possideant omnia communia sua et communem pasturam suam in moris petariis turbariis et in omnibus aliis aysiamentis ad dictam villam de Hadingtoun juste pertinentibus sicut aliquo tempore sepedicti burgenses nostri vel aliqui antecessorum suorum per suas rectas metas et divisas hactenus habuerunt et possiderunt et eisdem usi sunt usque ad hec tempore. In cujus rei testimonium presenti carte nostre Sigillum nostrum precipimus apponi.—Testibus Bernardo Abbate de Abirbrothoc Cancellario nostro. Willelmo de Lindesay Camerario nostro. Thoma Rannulf, Comite Moravie et Domino Mannie, nepote nostro Karissimo. Wal-

tero Senescallo nostro Scocie. Johanne de Menteth. Jacobo Domino de Duglas. Gilberto de Haya, Constabullario nostro Scocie et Roberto de Keth, Marescallo nostro, militibus. Apud Sconam. Sexto die Decembris. Anno Regni nostri tercio decimo.

ROBERT, BY THE GRACE OF GOD, KING OF SCOTS.—To all good men of all his land. Greeting. Know ye that we have given and granted, and by this our present charter have confirmed to our Burgh of Haddington and our burgesses dwelling in that our Burgh all rights, liberties, and privileges which our same burgesses in our times or in the times of any of our ancestors until now had or possessed or ought to have, with all burghal rights as freely as any other burghs commonly within our kingdom freely and quietly hold and possess from us. We grant also to our burgesses of Haddington that those who may be in the said burgh shall be free for ever from all toll and custom on their different goods throughout all our Kingdom of Scotland. Wherefore we firmly prohibit any one to dare, against this our grant, to vex them unjustly by exacting from them toll or custom on their different goods. We forbid, also, anyone within our Sheriffdom of Haddington to buy wool or skins or to trade in merchandise or to make broad cloth dyed or shorn except our burgesses of Haddington. Also that no other merchant within the said Sheriffdom of Haddington or in our Burgh shall buy any except from our burgesses of Haddington, under our heavy displeasure. If, nevertheless, any merchant be found within our said Sheriffdom of Haddington buying wool or skins, or any acting as a trader in any such way, his person shall be seized by our burgesses of Haddington: the goods thus bought shall be carried to our said Burgh of Haddington, and forfeited to our said burgesses. The person, how-

ever, of the said buyer shall be detained until we decree our will concerning him. All those conveying timber or merchandise to supply our said Burgh of Haddington, from whatever wood or from whatever barony they may be, shall have our firm peace and protection. Anyone daring to poind goods or to annoy them unjustly on our highway in going to the said town of Haddington or in returning shall incur our heavy displeasure. We will that our said burgesses of Haddington shall as freely have and possess all common rights and common pasturage in moors, in peat mosses, turbaries, and in all other easements rightly pertaining to the said town of Haddington, as in any time the aforementioned burgesses or any of their ancestors had or possessed by all the true marches and boundaries, or have been used by them up till this time. In witness of which we have ordered our seal to be affixed to this our present charter. Witnesses—Bernard, Abbot of Arbroath, our Chancellor. William of Lindesay, our Chamberlain. Thomas Rannulph, Earl of Moray and Lord of Man, our dearest nephew. Walter, our Stewart of Scotland. John of Menteth. James Lord of Douglas. Gilbert of Hay, our Constable of Scotland, and Robert of Keth, our Marshal, knights. At Scone, 6th of December. Thirteenth year of our Reign.

CLAUSE from Charter by David II., erecting Dunbar into a Free Burgh, and granting reciprocal Right of Trade to Haddington and Dunbar throughout the Sheriffdom of Haddington and Earldom of March.—8th Feb., 1369.

(From Robertson's Index to the Missing Charters.)

"VOLUIMUS insuper quod dictus burgus de Dunbar habeat pro bondis suis totum Comitatum Marchie sic tamen quod liceat burgensibus

Burgi nostri de Hadyngton infra dictum Comitatum Marchie emere lanas, pelles coria et alia mercimonia que supra, solventis inde custumariis nostris in dicto Burgo de Dunbarr, ut supra constituendis, custumam et alia divoria, capienda Coketam suam apud Dunbarr."

8 Feb. A.R. XL.

"WE will, moreover, that the said Burgh of Dunbar shall have for its bounds the whole Earldom of March, but nevertheless it shall be allowed to the burgesses of our Burgh of Haddington to buy wool, hides, and skins, and other merchandise above mentioned, paying to our customars in the said burgh of Dunbar, as above settled, custom and all other dues, taking his cokete at Dunbar."

8th February A.R. XL (1369).

CHARTER by Robert II., under his Great Seal, granting the Burgh of Haddington, with its various rights, including the Harbour, to the Burgesses, for annual payment of Fifteen Pounds Sterling.—Stirling, 6th Feb., 1388.

(Original in Burgh Charter Room.)

ROBERTUS DEI GRACIA REX SCOTTORUM. Omnibus probis hominibus totius terre sue, clericis et laicis. Salutem. Sciatis quod assedavimus et ad firmam concessimus delictis et fidelibus nostris burgensibus et communitati Burgi nostri de Hadyngtouno. Burgum de Hadyngtouno cum pertinenciis. Tenendum et Habendum eisdem Burgensibus et eorum successorum, in feodo et hereditate, cum molendinis omnibus cum firmis dicti Burgi,

cum curiis et curiarum exitibus et cum parvis custumis cum portu et libero transitu ad dictum portum nostrum cum omnibus aliis et singulis libertatibus commoditatibus, aysiamentis ac justis pertinenciis tam non nominatis quam nominatis, tam sub terra quam supra terram ad dictum Burgum pertinentibus, seu juste spectare, valentibus quomodolibet in futurum. Reddendo inde nobis et heredibus nostris dicti burgenses et eorum successores, quindecim libras sterlingorum, annis singulis in Cameram regiam ad duos anni terminos consuetos. Penthecostes et Sancti Martini in yeme per porciones equales tantum pro omni alio servicio exactione vel demanda. Ita, videlicet, quod dicti burgenses et eorum successores dicto Burgo cum pertinenciis supradictis ita libere et quiete, plenarie, integre, et honorifice gaudeant perpetuis temporibus in futurum sicut eorum predecessores eodem burgo gaudebant temporibus retroactis. In cujus rei testimonium predicte carte nostre nostrum precepimus apponi Sigillum. Testibus venerabilibus in Christo, patribus, Waltero et Johanne Cancellario nostro Sancte Andree et Dunkeldense ecclesiarum episcopis. Johanne, primogenito nostro de Carrik, Senescallo Scotie. Roberto de Fyff, et de Menteth. Jacobo de Douglas, filiis nostris delictis, Comitatibus. Archibaldo de Douglas et Thoma de Erskyne consanguiniis nostris militibus. Apud Strivelyne sixto die Februarii Anno Regni nostri septimo-decimo.

ROBERT, BY THE GRACE OF GOD, KING OF SCOTS.—To all good men of his whole land, both Churchmen and laymen. Greeting. Know ye that we have let and have granted in firm to our beloved and faithful burgesses and community of our burgh of Haddington, the Burgh of Haddington with its pertinents. To be had and to be held by these

burgesses and their successors in feu and heredity with all the mills, with the firms of the said Burgh, with courts and issues of courts, with small customs, with the harbour and free transit to our said harbour, with all and sundry liberties, commodities, easements, and just pertinents, whether not mentioned or mentioned, whether above ground or beneath the ground, pertaining to the said Burgh, or which may be rightly judged to belong to it in any manner in future. The said burgesses and their successors paying to us, and our heirs, fifteen pounds sterling, each year to our Exchequer at the two usual terms in the year, Pentecost and Saint Martin, in winter, by equal portions, in place of all other service, exaction, or demand. Also, that the said burgesses and their successors shall enjoy the said Burgh with its above-mentioned pertinents as freely and quietly, fully, wholly, and honourably for all times coming in future as their predecessors enjoyed the said Burgh in past times. In witness of which we have ordered our seal to be attached to this our present charter. Witnesses: Venerable Fathers in Christ Walter and John, our Chancellor, of the Churches of Saint Andrew and Dunkeld, Bishops. John, our first-born, Earl of Carrick, Stewart of Scotland. Robert of Fife and of Menteith, James of Douglas, our dear sons, Earls. Archibald of Douglas and Thomas of Erskyne, our cousins, Knights. At Stirling, 6th Feb. 17th year of our Reign.

LETTER by Robert II., remitting payment of above sum for four years.—Stirling, 6th Feb., 1388.

(From Exchequer Rolls.)

ROBERTUS DEI GRACIA REX SCOTTORUM: Omnibus, &c. Salutem: Cum assedaverimus delictis burgensibus nostris burgi de Hadintoun, burgum predictum in perpetuum in feodo et hereditate pro quindecim libris sterlingorum, annuatim solvendis nobis et heredibus nostris de burgo predicto: Nos, excerta sciencia considerantes debilitatem et penuriam dicti burgi, volentesque dictis burgensibus nostris quibus afficimur graciam facere specialem, ipsis concedimus per presentes, quod ad solucionem dicte pensionis annue, quatenus ad nos et heredes nostros pertinuerit, per quatuor annos a festo Pentecostes proximo futuro immediate sequentes minime teneantur. Datum apud Strivelin, sexto die Februarii. A: R. nostri xvij.

ROBERT, BY THE GRACE OF GOD, KING OF SCOTS.—To all, etc. Greeting. Although we have set in feu and heritage for ever, to our beloved Burgesses of our Burgh of Haddington, the said Burgh, for fifteen pounds sterling, to be paid to us and to our successors by the said Burgh. We, from good information and considering the decayed state and poverty of the said Burgh, and being willing to grant a special favour to the said Burgesses, to whom we are attached, have granted that by the presents they shall in no wise be held to the payment of the said annual pension, as far as it pertains to us and our heirs, for four years immediately following the next Feast of Penthecost. Granted at Stirling, 6th day of February, 17th year of our Reign.

CHARTER by John, Earl of Carrick, confirming the above Charter of his father, Robert II.—Edinburgh, 16th April, 1388.

(Original in Burgh Charter Room.)

OMNIBUS HOC SCRIPTUM VISURIS VEL AUDITURIS—Johannes Regis Scotie primogenitus, Comes de Carrik, Senescallo Scotie. Salutem in Domino. Noveritis nos quamdam Cartam Domini nostri Regis et progenitoris Domini Roberti Dei Gracia Rex Scottorum Illustris, non rasam, non abolitam nec in aliqua sue parte viciatam in hec verba inspexisse. [Vide charter, as on page 5.] Quamquidem Cartam, in omnibus suis punctis et articulis ac circumstanciis universis forma partas et effectu in omnibus et per omnia ut predictum est, ratificamus, approbamus, et pro nobis et heredibus nostris imperpetuum confirmamus. In cujus rei testimonium presenti carte confirmacionis nostre, nostrum precipemus apponi Sigillum. Testibus Georgi de Dunbarr et Henrico de Sancto Claro comitibus. Jacobo de Dowglas de Dalketh. Thoma de Erskyn. Waltero de Halyburtoun. Willelmo de Setoun. Patritio de Hebborn. Alexandro de Halyburtoun militibus. Johanne de Sancto Claro. Johanne de Mautland. Alexandro de Cokborn et multis aliis. Apud Edynburgh. Decimo Sexto Aprilis A: Dom. Millesimo CCC octogesimo octavo.

TO ALL WHO SHALL SEE OR HEAR THIS CHARTER.—John eldest son of the King of Scots, Earl of Carrick and Stewart of Scotland. Greeting in the Lord. Know that we have examined a certain charter of our Lord the King our Father, Robert, by the Grace of God illustrious King of Scots, not

erased, not cancelled, nor in any of its parts suspicious, in these words. Robertus, etc. [Charter as on page 6.] Which charter in all its points, articles, whole circumstances forms, parts, and effects, in all and by all, as contained above, we ratify and approve, and for us and our heirs, confirm for ever. In witness of which we have ordered our Seal to be affixed to this our charter of confirmation. Witnesses: George of Dunbar and Henry of Sinclair, Earls. James of Douglas, Lord of Dalkeith, Thomas of Erskyne, Walter of Halyburtoun, William of Seton, Patrick of Hepburn, Alexander of Halyburtoun, Knights. John of Sinclair, John of Maitland, Alexander of Cockburn, with many others. At Edinburgh, 16th day of April, A.D., one thousand three hundred and eighty-eight.

CHARTER by Robert II., under his Great Seal, granting to the Burgesses Small Customs, free access to Harbour, the King's Meadow with licence to cultivate it, with rights to Quarry and Coal Pits, etc.—Edinburgh, 3rd December, 1389.

(Original in Burgh Charter Room.)

ROBERTUS DEI GRATIA REX SCOTTORUM. Omnibus probis hominibus tocius terre sue clericis et laiicis—Salutem. Sciatis quod assedavimus et ad firmam concessimus delictis et fidelibus nostris burgensibus ac communitati Burgi de Hadyngtoun, dictum Burgum nostrum cum pertinenciis. Tenendum et Habendum eisdem burgensibus nostris et eorum successoribus in feodo et hereditate cum molendinis omnibus quibuscunque factis et faciendis cum

firmis dicti Burgi cum curiis et curiarum exitibus et parvis custumis, cum portu et libero transitu ad dictum portum, cum carbonariis et lapidicinis, necnon cum omnibus aliis et singulis libertatibus commoditatibus aysiamentis et justis pertinenciis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam super terram ad dictum Burgum spectantibus seu juste spectare valentibus, quomodolibet in futurum. Ac etiam cum prato illo juxta Burgum predictum quod vocatum est hactenus pratum regnum. Quodquidem pratum licitum erit eis quandocunque voluerint redigere in culturam. Reddendo inde, nobis et heredibus nostris dicti burgenses et eorum successores, quindecim libras sterlingorum, annis singulis in Cameram Regiam ad duos anni terminos consuetos, Penthecostes, videlicet, et Sancti Martini in yeme, per porciones equales, tantum pro omni alio servicio exactione vel demanda. Ita videlicet, quod dicti burgenses et eorum successores dicto Burgo cum universis pertinenciis supradictis ita libere quiete plenarie integre et honorifice gaudeant perpetuis temporibus in futurum. Sicut eorum predecessores eodem Burgo cum pertinenciis liberius unquam gaudebant aut gaudere poterant vel debebant quibuscunque temporibus retro actis. In cujus Rei testimonium presenti carte nostre nostrum precepimus apponi Sigillum. Testibus venerabilibus in Christo patribus, Waltero et Matheo, Sci. Andree et Glasguense, ecclesiarum Episcopis; Johanne primogenito nostro de Carrik, Senescallo Scocie; Roberto de Fyff et de Menteth, filio nostro delicto; Archibaldo de Douglas, consanguineo nostro, comitibus; Jacobo de Douglas, Domino de Dalketh fratre nostro delicto; Thoma de Erskyn, consanguineo nostro militibus; et Johanne Gray, clerico nostro Rotulorum et Registri ac custode Magni Sigilli nostri. Apud Edinburgh, tercio die Decembris anno Regni nostri nono decimo.

ROBERT, BY THE GRACE OF GOD, KING OF SCOTS.—To all good men of his whole land, Churchmen and Laymen. Greeting. Know ye that we have let and granted in firm to our beloved and faithful Burgesses and Community of Hadington, our said Burgh with its pertinents. To be held and to be had by our said Burgesses and their successors in feu and heredity, with all mills whether built or to be built, with the firms of the said Burgh, with courts and issues of courts and the small customs, with harbour and free access to said harbour, with coal-mines and quarries as well as all and sundry liberties, commodities, easments, and right pertinents whatsoever, whether mentioned or not mentioned as well above ground as beneath, belonging to the said Burgh, or which may be considered to belong in future time. And also with that meadow near the said Burgh which is usually called King's Meadow. Also it shall be allowed them, whenever they wish, to put the said meadow into cultivation. The said Burgesses and their successors paying therefor, to us and our successors, fifteen pounds sterling, each year to our Exchequer, at the two usual terms in the year, namely Pentecost and Saint Martin in winter, by equal portions for all other services, exactions, or demands. Also the said Burgesses and their successors shall enjoy in all times coming the said Burgh with all the above pertinents as freely, quietly, fully, wholly, and peacefully as their predecessors the said Burgh enjoyed or could or ought to have enjoyed in times past. In witness of which we have ordered our Great Seal to be affixed to this our present charter. Witnesses: Venerable fathers in Christ, Walter and Matthew, Bishops of the Churches of Saint Andrew and Glasgow; John our eldest son, Earl of Carrick, Stewart of Scotland; Robert Earl of Fife and of Menteith, our dear son; Archibald Earl of Douglas,

our cousin; James of Douglas, Lord of Dalkeith, our dear brother; Thomas of Erskyne, our cousin, Knights; and John Gray, clerk of our Rolls and Register and keeper of our Great Seal. At Edinburgh, third day of December, of our reign the nineteenth year.

INSTRUMENT on Quitclaim by Alexander de Newton on Lands of Gladsmure.—19th March, 1427.
(Original in Burgh Charter Room.

IN DIE NOMINE AMEN.—Per hoc presens publicum instrumentum cunctis pateat evidenter, quod anno a nativitate Domini millessimo quadringentesimo Vicesimo Septimo, Indictione quinta, ac mensis Marchii die decimonono, pontificatus sanctissimi in Christo patris ac domini nostri, Domini Martini, Divina providentia Pape quinti, anno nono. In mei notarii publici et testium subscriptorum, presentia personaliter, constitutus super communem Moram burgi de Hadingtoun, appellatam Gladmore, Domino Roberto de Lawedre de Edrengtone milite, Justiciario infra Regnum Scocie cum multis presentibus de nobilioribus patrie virtute cujusdam brevis perambulacionis capelle regie, rectas metas inter predictam moram, videlicet, communem dicti pasturam burgi et terras diversorum dominorum ex utraque parte, casticiandis, per assissam, perambulantibus et tandem ad terras de Wyttone pervenientibus, Alexander de Newtone dixit, quod ipse non plus de predictis terris de Gladmore clamavit sibi nec heredibus suis pertinere nisi tummodo usque ad projectum arquatum ad posteriorem finem nigrarum terrarum arabilium de Wytton. Super quibus, omnibus et singulis Adam de Cocburne, tune temporis ballivus dicti burgi a me notario publico sibi peciit fieri publicum instrumentum. Presentibus dicto Justiciario, Johne Broun, Domino de Comercolliston,

Willelmo de Duns patre, Patritio de Hume, Johne Godfrason, Johne de Stratoun et multis aliis, ad premissa vocatis specialiter et rogatis.

Et Ego Willelmus Harper, Clericus, etc.

IN THE NAME OF GOD AMEN.—By this present public instrument be it made manifest that in the year from our Lord's Nativity a thousand four hundred and twenty seven, the fifth Indiction, and the nineteenth day of March, and the ninth year of the pontificate of our most holy Father in Christ our Lord Martin, by Divine Providence the fifth Pope (of that name). In presence of me, notar public, and witnesses underwritten, personally compeared, upon the common moor of the Burgh of Haddington called Gladsmure, along with Sir Robert Lawder of Edrington, Knight, Justiciar within the Kingdom of Scotland, a large number of the most worthy of the country being present, in response to a certain brief of perambulation from the Royal Chancery for casting by an assise, the true marches between the said moor, namely, the common pasture of the said Burgh and the lands of different lords on the other part, (they were) perambulating and at length coming to the lands of Witton, (compeared) Alexander Newton and said that he claimed no more of the said lands of Gladsmure to belong to him and his heirs, except as far as the projecting piece of field at the back boundary of the black arable lands of Witton. Upon which, all and sundry, Adam Cocburne, at that time a bailie of the said Burgh, asked me, notar public, to grant him a public instrument. There were present with the said Justiciar, John Brown, Lord of Comercolliston ; William Duns, the elder ; Patrick Hume, John Godfrason, John Stratoun, and many others, to the above called specially and summoned.

And I, William Harper, priest, etc., etc.

INSTRUMENT on Perambulation of Lands of Gladsmure.—25th September, 1430.

(Original in Burgh Charter Room.)

IN DEI NOMINE AMEN, &c. (1430, Sept. 25th). —Personaliter, constitutus nobilis vir Thomas de Somervile, Dominus de Carnwith, ac Justiciarius Domini Nostri Regis ex parte Australi de Forth, virtute cujusdam brevis perambulacionis capelle regie sibi justiciario in antea directi et premunitione quadraginta dierum premuniti liberetenentibus pro majore parte Constabularie de Hadyngtoun et aliis diversis. Et ibidem probatum fuerat ad hec ligitime premunitis et ibidem vocatis et congregatis super communem moram de Gladmor per assissam nobilionum et proborum virorum dicte constabularie. videlicet. viginti quinque personarum ad hec, magno sacramento interveniente, juratorum perambulare fecit secundum tenorem dicti brevis rectas metas inter terras de Gladmore que sunt communitatis burgi de Hadyngtoun ex parte una et terras de Clerkyntoun que sunt Domini Prioris Cathedralis ecclesie Sancti Andree et Conventus ejusdem, et terras de Samellistoun que sunt Domini Archibaldi Comitis de Dowglas, et terras templarias que sunt Magistrorum Templi, et terras de Nesbyt et Potteraw que sunt Domini Roberti de Lawedre, et terras de Payinstoun que sunt Domini Willelmi Balze, et terras de Uxtoun que sunt Domini de Yhester, et terras Hospitalis Sancti Laurencii que sunt Magistri Hugonis Landalis et terras de Wittoun que sunt Willelmi de Cokburne, Alexandri de Newtoun, et Johannis Ysaac, et terras de Lathame que sunt Willelmi de Cokburne, ex parte altera. Que assissa jurata exiit circuiens et perambulans dictum moram, illo die et diversis aliis diebus continue sequentibus, palam declaravit ac manifestavit rectas metas

inter omnes et singulas predictas terras secundum tenorem ejusdem brevis ponendo metas et fossas circumquaque prout perambulavit. Quas metas sic per dictum assissam viginti quinque positas et declaratas, dictus Justiciarius proclamari fecit ex parte Domini Nostri Regis servare inviolabiles et indempnes sine perturbatione quacunque imperpetuum sub omni poena que incumbit in hec parte. Et ista sunt nomina existentes in dicta assissa. Videlicet. Laurentius de Abernethi, Dominus de Rothmay, Jacobus Synclair de Lochyrmacus, Alexander de Newtoun de eodem, Johannes Brone de Comer-Colistoun, Johannis Whitelaw de eodem, Willelmus de Lermonth de Ersildone, Walterus de Levyngtoun de Saltcottis, Dougallus Macdowale, Willelmus de Duns, Adam Dewar, Willelmus Flemyng, Johannes de Aldnystoun, David de Borthuic, Patricus de Home, Gilbertus de Lawedre, Eustachius de Duns, Johannes de Congeltoun, Patricius de Sydserf, Willelmus de Leys, David de Haliburtoun, Robertus Thomson, Thomas Gibsoun, Thomas Henrison, Johannes de Lyil, et Gilbertus de Congeltoun. Super quibus omnibus et singulis Robertus de Furde Ballivus burgi de Hadyngtoun peciit a me &c. . . Presentibus ibidem nobilibus et providis viris dicto Justicario. Johne Yule de Garmiltoun. Alexandro de Ogil de Popil. Alano Grub. John Camn. Roberto de Erth et Johne Gothrasoun serjando vicecomitis cum multis aliis.

Et Ego Willelmus Harper, Clericus, Glasguense, etc.

IN THE NAME OF GOD, AMEN, &c.—Personally compeared a noble man, Thomas Somerville Lord of Carnwath and Justiciar of our Lord the King on the South of Forth, in virtue of a certain

brieve of perambulation directed forth of the King's Chancery to him as Justiciar as above and with forty days' warning to the free tenants of the greater part of the Constabulary of Haddington, and with many others. And then, proof being given that legal warning had been executed, and being called and there collected upon the common mure of Gladsmoor, by a jury of the best and most worthy men of the said Constabulary, namely twenty-five persons, the great oath being sworn, he made them perambulate according to the tenor of the said brieve the true marches between the lands of Gladsmoor, which belong to the Community of the Burgh of Haddington on the one part and the lands of Clerkington belonging to the Prior and Convent of the Cathedral Church of St Andrew; the lands of Samellistoun which belong to Sir Archibald Earl of Douglas; and the Temple lands which belong to the Masters of the Temple; the lands of Nesbit and Potteraw belonging to Sir Robert Lauder; the lands of Painston belonging to Sir William Baillie; the lands of Ugston belonging to the Lord of Yester and the lands of the Hospital of St Laurence belonging to Master Hugh Landels; and the lands of Wittoun which belong to William Cockburne, Alexander Newton, and John Isaac; and the lands of Letham which belong to Sir William Cockburne, on the other parts. The Assize, being sworn, walked the bounds of the said Moor that day and several following days, and distinctly declared and showed the true marches between all and sundry the above mentioned lands according to the tenor of said brieve by placing march stones and ditches where they had perambulated. Which marches, by the said assize of twenty-five, being pointed out and declared, the said Justiciar ordered proclamation to be made on behalf of our Lord the King that these should

remain inviolable and undamaged without any disturbance whatsoever for all times, under all the penalties inflicted in such cases. The following are the names of the Assize. Namely Laurence of Abernethy Lord of Rothiemay, James Sinclair of Longformacus, Alexander Newton of that Ilk, John Broun of Comercolston, John Whitelaw of that Ilk, William Learmonth of Ersildone, Walter Livingston of Saltcoats, Dougal Macdowal, William Duns, Adam Dewar, William Fleming, John Aldinston, David Borthwick, Patrick Home, Gilbert Lawder, Eustace Duns, John Congilton, Patrick Sydserf, William Leys, David Haliburton, Robert Thomson, Thomas Gibson, Thomas Henryson, John Lyel, and Gilbert Congilton. Upon which, all and sundry, Robert Ford, bailie of the Burgh of Haddington, asked instrument. There were present noble and worthy men with the said Justiciar—John Yule of Garmilton, Alexander Ogle of Popil, Alan Grub, John Camn, Robert Airth, and John Gothrason, sergeant to the Sheriff, with many others.

And I, William Harper, priest of Glasgow, etc.

TRANSUMPT of a Letter by King James III., under the Great Seal, Granting exemption to the Burgesses of Haddington from payment on Custom on Salt and certain kinds of Skins and Hides.—Edinburgh, 12th Feb., 1451. Transumpt dated, 1537.

(Original in Burgh Charter Room.)

IN DEI NOMINE, AMEN.—Per hoc presens publicum instrumentum cunctis pateat evidenter quod, anno Incarnationis Dominice, millesimo quingentessimo tricessimo septimo, indictione undecima, pontificatus sanctissimi in Christo patris ac domini

nostri, domini Pauli, divina providentia Pape, tercii, anno quarto, ac regni excellentissimi principis Jacobi quinti, anno vicessimo quinto. In mei notarii, et testium subscriptorum presencia personaliter constitutus honorabilis vir, David Forros unus Ballivorum Burgi de Hadingtoun in presencia testium subscriptorum, michi, notario publico subscripto, presentavit, tradidit et publice perlegi fecit quandam cartam in pergameno scriptam, sigillo magno et actentaco excellentissimi principis nostri Jacobi quondam Regis Scotie, in alba cera, more solito, pendente sigillata, cujus tenor sequitur in hac verba :—

JACOBUS DIE GRACIA REX SCOTORUM, Omnibus probis hominibus, tocius terre sue, clericis et laicis, Salutem. Sciatis nos, pro singulari favore quem gerimus erga delictos nostros mercatores burgenses et communitatem Burgi nostri de Haidintoun, pro suis gratuitis serviciis nobis hactenus multipliciter impensis, dedisse, concessisse, et hac presenti carta nostre confirmasse, pro nobis nostrisque heredibus et successoribus, pro perpetuo, prefatis burgensibus et communitati Burgi nostri de Haidintoun supradicti eorumque, heredibus et successoribus burgensibus ejusdem Burgi, ut ipsi perpetuis futuris temporibus liberi, absoluti, et quieti sint ab omne solucione custume salis et pellium subscriptarum, *wulgariter* dictarum schourlingis, skaldingis, fut fellis, lentryn vair, lamb skynis, tod skynis, calf skynis, cunning skynis, otter skynis et foumart skynis. Et mercatores et burgenses de Haidintoun eorumque heredes et successores dicti Burgi burgenses, de solucione dicte custume salis et pellium predictarum absolvimus, exoneravimus, et quietos clamavimus, pro nobis et nostris successoribus pro perpetuo. Preterea voluimus pro nobis et nostris successoribus concedimus dictis burgensibus et communitati de Haidintoun liberam potestatem atque

facultatem permutandi tam extraneis personis et non liberis quam quibuscunque aliis personis, et tam infra nostrum regnum quam extra mercimonia predicti salis et pellium absque quacunque custume per ipsos extraneos aut alios quoscunque quibuscunque futuris temporibus persolvenda. Ita quod dictis sale et pellibus per ipsos extraneos a nostris burgensibus supradictis emptis seu acquisitis custuma nullatenus persolvetur, nisi tantum parva custuma, per extraneos et non liberos dictis burgensibus et communitati, de dictis sale et pellibus, retroactis temporibus, hactenus debitis et persolvi consuetis. Quare, universis et singulis, quorum interest, vel interesse poterit, stricte precipiendo mandamus quatenus in contrarium dicte nostre donationis exonerationis et quietclamacionis nullatenus devenire presumant seu eorum aliquis devenire presumat sub omni pena quam nostram regiam incurere poterint majestatem. In cujus rei testimonium presentibus nostris literis pro perpetuo duraturis nostrum magnum Sigillum apponi preceptimus. Testibus. Reverendis in Christo patribus, Willelmo, Johanne, et Thoma, Glasguensis Moraviensis et Candide Case ecclesiarum episcopis. Carissimo consanguineo nostro, Willelmo. comite de Douglas et de Anandale, domino Galwidie : Willelmo, domino Criechton, nostro Cancellario et consanguineo predelicto ; delictis consanguineis nostris, Willelmo, domino Somervile ; Patritio, domino Glammys ; Magistris, Johanne Arous, Archidiacono Glasguensi, et Georgeo de Schoriswood, rectore de Cultre. Apud Edinburgh, duodecimo die Mensis Januarii. Anno Domini, millesimo quadragesimo quinquagesimo primo, et regni nostri decimo quinto. Post cujus quidam carte presentacionem traditionem et ipsius lecturam, non rasa, non ablata, non cancellata nec in aliqua sue parte viciata aut suspecta, sed prorsus omni vicio suspectione carens, antedictus David Forros

ballivus dicti Burgi michi, notario publico, suplicavit ut prefatam cartam in publicam formam redigendem et sub manu me publica copiarem. Acta erant hæc in Pretorio Burgi de Haidintoun, in plana curia, horas inter undenas et duodenas ante meridiem, sub anno, die et mense, indictione et pontificatu quibus supra. Presentibus ibidem honerabilibus viris Phillipo Gibsoun, Nicholiao Swyntoun, Thoma Sinclar, Thoma Dykisoun, Johanne Lawta, Wm. Thomsoun, Stephano Darg, Wm. Masoun, Gilberto Robisoun serjando, cum multis aliis testibus ad premissa vocatis, specialiterque rogatis.

Et Ego Alexr. Symsoun Clericus St Andree diocesis, etc., etc.

IN THE NAME OF GOD, AMEN.—By this present public instrument be it made manifest that in the year of the Incarnation of our Lord, one thousand five hundred and thirty-seven, in the eleventh indiction, in the fourth year of the Pontificate of our most holy father in Christ, our Lord Paul, by Divine Providence, the third Pope (of that name) and in the reign of the most excellent Prince James the Fifth the twenty-fourth year: In presence of me, notary, and witnesses underwritten personally compeared an honourable man, David Forros, one of the Bailies of the Burgh of Haddington, and presented and handed to me and caused to be publicly read, in presence of the witnesses underwritten, a certain charter written on parchment and authenticated by the Great Seal of our Most Excellent Prince James, late King of Scotland, the seal being in white wax and appendant in the usual manner, of which the tenor follows in these words:—

JAMES, BY THE GRACE OF GOD KING OF SCOTS, to all his good people of his whole land, Churchmen and Laymen—Greeting. Know ye that we, for the singular favour which we bear to our well

beloved merchant burgesses and community of our Burgh of Haddington, and for their manifold good services done to us heretofore, have given and granted and confirm, by this our present Charter, for us and our heirs and successors, for ever, to the above mentioned Burgesses and Community of our Burgh of Haddington, their heirs and successors, being Burgesses of the said Burgh, that they for all future times shall be free, absolved, and quit from all payment of custom on salt and hides, as undermentioned, commonly called Schourlingis, Skaldingis, futfellis, lentryn wair, lamb skynis, fox skynis, calf skynis, otter skynis, and foumart skynis. And the merchants and Burgesses of Haddington and their heirs and successors being Burgesses of the said Burgh from payment of the said custom on salt and on the above-mentioned skins, we absolve, exonerate, and quit for us and our successors for ever. We will also, and for us and for our successors, grant to the said Burgesses and Community of Haddington full power and licence of selling or buying or taking in exchange, in barter or otherwise, the merchandise of salt or the above-mentioned skins, and that with any persons as well foreigners or non-freemen, and either within the Kingdom or without it, free from any payment of custom whatever in any future time. And also in no wise shall custom be paid on the salt and above-mentioned skins bought or acquired by these foreigners from our said Burgesses; except small customs on the said salt and skins, by foreigners and non-freemen, to the said Burgesses and Community, as has been accustomed till now from past time to be paid. Wherefore, we strictly enjoin all and sundry whom it does, or may, concern that neither they nor any of them may dare in any degree to contravene our said gift, release, and acquittance, under every penalty which they may incur to our Royal Majesty. In witness of which, that our

present letter may last for ever, we have ordered our Great Seal to be appended. Witnesses : The Reverend Fathers in Christ, William, John, and Thomas of the Churches of Glasgow, Moray, and Witherne, Bishops ; our most dearly beloved William, Earl of Douglas and of Annandale, Lord Galloway ; William, Lord Criechton, our Chancellor and very dear cousin ; and our dear cousins, William, Lord Somervile ; Patrick, Lord Glamms ; Master John Arous, Archdeacon of Glasgow ; and George of Schoriswood, rector of Culter. At Edinburgh, 12th day of the month of January, A. D., one thousand four hundred and fifty-one, and of our Reign the fifteenth. After which presentation, handing over, and reading of the said Charter, and seeing carefully that it was not erased, rubbed out, nor cancelled, nor in any part altered nor doubtful, but free from all suspicion, the aforementioned David Forros, Bailie of the said Burgh, requested me, notary public, that I should reduce the said Charter into public form and copy it under my sign manual. These were done in the Court Room of the Burgh of Haddington in open Court between eleven and twelve before mid-day. The year, day, month, indiction, and pontificate as above. There were present honourable men, Philip Gibsoun, Nicolas Swyntoun, Thomas Sinclar, Thomas Dykisoun, John Lawta, Wm. Thomsoun, Stephen Darg, Wm. Masoun, Gilbert Robison, serjeant, with many other witnesses called and specially asked to the above,

And I Alexander Symson, priest of Diocese of St Andrews, etc.

LETTER by King James III. under the Great Seal confirming a Decreet by the Lords of Council (4th March, 1476), as to Harbour of Aberlady.—Edinburgh, 6th March, 1475.

(Original in Burgh Charter Room.)

JACOBUS DEI GRACIA, REX SCOTTORUM, Omnibus probis hominibus suis ad quos presentes litere pervenerint. Salutem. Sciatis nos quoddam actum sive decretum, per consules nostros, inferius discriptos, datum et promulgatum utique intellixisse sub hac forma :—

At Edinburgh the ferd day of Merche ye zer of God a thousand four hundreth sevinty and five zeris The Lordis of Counsale underwritten, yat ar to say Reverendis faderis in Christ Johnne bischop of Glasgew. Thomas bischop of Abirdene, Noble and Mychty lordis, Andro lord Avandale chancelier of Scotland. Johnne Erle of ye Levenax. Johnne Lord Carlile and Maister Archibald of Quhitlaw secretar. In ye actoun and cause persewit be the ballies and communite of Hadingtoune on ye ta part agane David Hepburne of Wauchtoun on ye tother part anent ye distroublans of ye saidis ballies and communite in thesuring and carting of thar gudis to ye havin of ye mouth of Peffre, and for the wrangweiss takin of ancorage be the said lord of Wauchtoun. The Lordis of Counsale forsaid ordanis yat letteris be written chargeing ye said David Hepburne desist and cess of ye takin of ony Ancorage of ye said havin in tyme to cum and that he mak na distroublans to ye said ballies and communite in tyme to cum in ye carting and carying of yar gudis to and fra ye said havin ye passage and gatis use be yaim of befor and als yat he sall restor agane to ye said ballies and communite ye Ancorage

and gudes yat he has takin of yaim of befor. And gif it pless ye said David to clame ye said havin to pertene to him, yat he cum to ye King and mak his chalance and awouch with ye charge and he sall have justice ministered yairefter. Datum et extractum de libro actorum per me, Alexandrum Scot, Clericum Concilii Regni, sub mee signo et subscriptione manualibus. Quodquidem actum sive decretum ac omnia alia et singula in eadem contenta, in omnibus suis partis et articulis, conditionibus, et modis, ratificamus, approbamus, et per presentes, confirmamus. Datum sub testimonio Magni Sigilli nostri. Apud Edinburgh sexto die mensis Martii, Anno Regni, decimo sexto.

JAMES, BY THE GRACE OF GOD KING OF SCOTS, to all his good men to whom the present letters may come. Greeting. Know ye that we have fully considered a certain act or decreet given and pronounced by our Councillors underwritten in this form at Edinburgh :—

The ferd day of Merche, etc. . . . . have justice ministered yairefter.

Given and extracted from the Book of the Acts by me, Alexander Scot, Clerk of Council, under my sign and subscription manual. Which act or decreet and all and sundry contained therein, in all its parts, articles, conditions, and points, we ratify, approve, and by this present, we confirm. Given under testimony of our Great Seal, at Edinburgh, sixth day of the month of March. Of the King's Reign the 16th year.

INDENTURE between Burgh of Haddington and Richard Maitland of Leithington as to Hauchs on the Tyne.—4th March, 1532.

(Original in Burgh Charter Room.)

AT Hadingtoun ye fourt day of Juli ye zeir of God Im. Vc. threty and twa zeris. It is appointitt and concordit and finale concludit betuix honorable persones yat is to say Rychart Maitland of Leithingtoun on ye tan part, Maister David Borthik, Patrik Lawsone, bailzes of ye brugh of Haidingtoun and ye Caunsaull and communite of ye samyne one ye tother part. In effect and form as efter followis anent ye mele hauches lyand one ye north syde of ye walter of Tyne of Haidingtoun and ye hauch of ye suth syde of ye saide walter beside ye stappynstainis, allegit be ye said Rychart to appartine to him as proper heretaig, and pertinent to ye landis of Leithingtoun. And siclik allegit be ye saidis bailzes Counsaull and communitie of ye said brugh yat ye said mele hauchis on ye north syde of ye saide walter to perteying to yaim and yair successoris bailzes counsall and communitie of Haidingtoun as proper in commoun and heretaig to ye toun. And anent Brevis of perambulation rasit be baithis ye saidis partis for distetion and divisioun of ye said merchis and hauches and swommoundis rasit be ye saidis bailzeis counsaull and communitie of ye said brugh againis ye said Rychart befor ye lordis of counsaull for reketing of ye partis of ye said hauches. That is to say yat ye said Rychart Maitland and his airis sall brwok and us ye said hauch on ye suth syde of ye walter and all uther hauchis now beand one ye suth side of ye said walter anest all ye landis of Clerkyngtoun as best pleissis him and his airis in tyme to cum and as his propir heretaig and pertinence to ye landis of Leith-

ingtoun. And ye saidis bailzes counsaull and communitie for yaim and yair successoris renuncis and upgiffis all clame, titill, and rychtis, yat yai have to ye said hauch, or hauchis, beand on ye suthside of ye said walter in tyme to cum. And ye said bailzes counsaull and communitie and yair successoris sall bwrok and us ye est mele hauch, and ye west mele hauch and all other hauchis, on ye north side of Tyne anent ye landis of Leithingtoun as yair propirtie in commoun and heretaig. And ye said Rychart dischargis him and his airis fra all clame, or titill, or rycht pertenand to ye said hauchis one ye north syde of ye said walter for now and evir. And yat ye said walter to be equale merche as it rynnis now bot ony revocatioun of ony partis in tyme to cum. And als anent brevis of perambulation, Kingis letres, swommounds, and all uthir expensis maid herupoun, ilk part absolvis utheris. And for ye observing of ye premissis, baith ye saidis partes ar faithfullie oblist and sworn be ye faithis in ye bodys. And to yis part of yis Indente rammandand with ye bailzes, counsaull, and communitie of Haidingtoun, ye foirsaid Rychart Maitland of Leithingtoun hes subscrivit with his handis togeder with ye appensioun of his proper sele, day, zeir, and place foirsaid—before ye witnesses, Thomas Cranstoun in ye Dodiss, Cuthbert Cranstoun, his sone, Schir Thomas Gardner, Johne Maitland, Andro Brok, Nycholass Swyntoun, Williame Kemp, Philip Gibsoun, Thomas Dickesone, George Robesone, burgesses of ye said brugh of Haydingtoun. Johne Flemyng and Schir Johne Lytill, notaris publictis, with utheris diverss.

R. MAITLAND OF LYTHINGTOUN.

CHARTER by James V. under his Great Seal, Granting various Rights and Privileges to the Burgh of Haddington, including a grant of the Office of Sheriff, within the Burgh and its Liberties, to the Provost and Bailies.—Linlithgow, 4th December, 1542.

(Original in Burgh Charter Room.)

JACOBUS DEI GRACIA, REX SCOTTORUM, Omnibus probis hominibus, totius terre sue, Clericis et Laicis. Salutem. Sciatis, quia villa de Hadingtoun per nostros nobilissimos predecessores, bonarum memoriarum, quorum animabus propitietur Deus, in libero burgo regio cum omnibus previlegiis liberi burgi infeodata extitit et sic per inhabitatores ejusdem, omnibus temporibus retroactis, ultra memoriam hominum, possessata et tenta, et inhabitatores dicti Burgi guerrarum et aliis tribulosis temporibus per generosos et alios circa eundem, in defectu prepositi prefatum Burgum, temporibus elapsis, regere et gubernare, impediti, molestati, et oppressi fuerunt, sic quod inhabitatores ejusdem in ingentem devenerunt paupertatem. Igitur, nos, pietete moti subitum remedium premissis apponi, desiderantes, pro specialibus favore et amore quos erga prefatum Burgum et inhabitatores ejusdem habemus et gerimus, ac pro incremento policie et justicie in eodem, infeodavimus, dedimus, et concessimus, hereditarie ac pro nobis et nostris successoribus pro perpetuo, confirmavimus ac tenore presentis carte nostre infeodamus, damus, et concedimus, hereditarie ac pro nobis et nostris successoribus, pro perpetuo confirmamus, ballivis burgensibus consulibus et communitati dicti Burgi, et eorum successoribus. Totam et Integram ipsorum moram de Gladismure cum pertinenciis, jacentem prope libertatem et territorium

predicti Burgi infra vicecomitatum de Edinburgh et constabuliariam de Hadingtoun. Ac etiam Raufeglynis akeris, et duas acras nuncupatur Hangmannis akeris, et similiter portum de Abirlady, in sinu aque de Pepher cum ancorarum moneta, ac omnibus aliis privilegiis, custumis, proficuis, et devoriis liberi portus, unacum omnibus et singulis aliis terris annuis redditibus et possessionibus quibuscunque ad dictum Burgum aliquibus temporibus retroactis spectantibus: cum potestate ipsis et eorum successoribus prefatam moram frangendi, colendi et effodiendi ac molendina, terras molendinarias et aqueductus desuper faciendi, et lapicidia et carbones in eadem ad eorum maximam utilitatem et proficuum perserutandi et lucrandi, ac eandem in toto vel in parte, in particatis burgalibus hereditare seu in assedatione prout eiis magis videbitur expediens proximis coburgensibus et incolis dicti Burgi, mercatoribus seu artium operariis ejusdem, tantum pro reparatione et edificationibus desuper fiendis, assedandi et locandi. Necnon cum potestate ballivis, consulibus et communitati dicti Burgi nunc presentibus et qui pro tempore fuerint et eorum successoribus in eodem, prepositum ballivos et alios officiarios omnibus temporibus affuturis pro regimine et gubernatione ejusdem, ipsis proximis coburgensibus incolis mercatoribus seu ipsius artium operariis existentibus tandum et nullis alliis, annuatim eligendi, habendi, et tenendi. Ac crucem foralem pretorium et diem foralem, hebdomidatim in die Sabbati et nundinas publicas annuatim in die Sancti Petri; festum Divi Johannis Baptiste, mydsymmer nuncupatur, proxime et immediate sequente et per octavas ejusdem, cum Tholoneis custumis ac omnibus aliis privilegiis et libertatibus, liberarum nundinarum, habendi et tenendi, et similiter curias burgales infra predictum Burgum tenendi, et infra eundem vinum, ceram, et alias mercantias quascunque emendi et

vendendi, et omnibus privilegiis et libertatibus dicto Burgo et inhabitatoribus ejusdem, perprius concessis, gaudendi et possessidendi. Insuper nos, pro causis suprascriptis per tenorem presentis carte nostre facimus constituimus et ordinamus prepositum et ballivus dicti Burgi omnibus temporibus affuturis eligentes et eorum successores, vicecomites de Hadingtoun infra Burgum ejusdem libertatem et ipsius territorum temporibus affuturis, dando eis plenariam potestatem et libertatem vicecomitis curias dicti vicecomitatus infra bondas et libertatem dicti Burgi inhabitatoribus ejusdem et omnibus aliis quorum interest, inchoandi, affirmandi, tenendi, et quoties opus fuerit, continuandi, sectas vocari faciendi, absentes amerchiandi, transgressores puniendi, bludewitas, exitus, amerchiamenta et eschaetas prefatarum burgalium et vicecomitis curiarum infra bondas antedictas erigendi, levandi, et ad rempublicam utilitatem et proficuum dicti Burgi et policie ejnsdem applicandi et importandi et pro eisdem, si opus fuerit, namandi et distringendi. Burgenses et inhabitatores dicti Burgi libertatis et territorii ejusdem coram quibuscunque judice aut judicibus, spiritualibus aut temporalibus, attachiati seu arrestati fuerint privilegio et libertati prefatarum vicecomitis et burgalium curiarum replegiandi, reducendi et reportandi, cautionem de coleraith pro justicia, partibus conquerentibus infra juris terminum ministranda, prestandi et inveniendi. Clericum Sergandum judicatorem et omnes alios officiarios et membra curie necessaria faciendi, creandi ordinandi, jurari faciendi, pro quibus respondere tenebuntur. Brevia capelle nostre quicunque, levata seu levanda per quascunque personam aut personas, dictis preposito et ballivis directa seu dirigenda, recipienti, aperienti, et proclamari ac debite in omnibus punctis secundum tenorem eorundem deserviri faciendi. Omnes literas ipsis directas cognitiones seu aliquas

alias actiones concernentes recipiendi et debite executioni in omnibus punctis ponendi. Omnes actiones, causas et querelas coram eiis movendas, discutiendi, decernendi, et dicidendi, secundum formam juris. Acta, decreta et sentencias, interlocutorias et diffinitivas, desuper dandi et easdem debite executioni in omnibus (ut congruit) punctis ponendi. Omnes personas committentes crimina infra predictum Burgum libertatem et territorium ejusdem mortem deservientes, justificandi, et morti ponendi, ac omnia alia minora crimina puniendi, ac ipsarum escheatas, bona, bludewitas, et exitus intromittendi et levandi et desuper ad rempublicam et proficuum dicti Burgi disponendi et generaliter omni alia et singula faciendi, gerendi, dicendi, et exercendi, que in premissis et circa ea necessaria fuerint seu quomodolibet opportuna firmum atque stabile ratum et gratum habendi et habitur totum et quicquid prefatus prepositus et ballivi nostri vicecomites in omnibus ad predictum officium spectantibus rite duxerint faciendi. Tenendum et Habendum totum et integrum prefatum Burgum, moram et terras de Gladismure ac acras terrarum supracriptas, unacum memorato portu de Abirlady, privilegiis, custumis, et devoriis ejusdem ac cum omnibus aliis terris et annuis redditibus ad predictum Burgum spectantibus necnon cum officio vicecomitis infra predictum Burgum libertatem et territorum ejusdem dictis preposito ballivis burgensibus et communitati ejusdem et eorum successoribus in libero burgagio, feodo, et hereditate imperpetum per omnes rectas, metas suas antiquas et divisas prout jacent in longitudine et latitudine, in terris, redditibus, nemoribus, possessionibus, pasturis, moris, et maresiis, viis, semitis, aquis, stagnis, rivolis, pratis, et pascuis, cum libero introitu et exitu. Ac cum omnibus aliis et singulis libertatibus, proficuis, et asiamentis ac justis suis pertinentibus quibuscunque, tam non nominatis, quam nominatis tam sub terra quam supra terram,

procul et prope, ad predictum Burgum, moram, terras et portum cum privelegiis, custumis, devoriis, et omnibus suis terris, annuisque redditibus, prescriptis et officium vicecomitis suprascriptum cum omnibus suis pertinenciis spectantibus seu juste spectare valentibus, quomodolibet, in futurum, libere, quiete, plenarie, integre, honorifice, bene, et in pace sine aliqua revocatione aut contradictione quacunque. Solvendo inde annuatim, dicti prepositus ballivi burgenses et communitas et eorum successores, nobis et nostris successoribus divoria de dicto burgo nobis et nostris predecessoribus prius debita et consueta. In cujus rei testimonium huic presenti Carte nostre magnum Sigillum nostrum apponi precepimus. Testibus. Reverendissimo et reverendo in Christo patribus Gawino Archiepiscopo Glasguense, et nostro Cancellario. Georgeo Episcopo Dunkeldense: dilectis nostris fratre naturali et consanguines Jacobo, Moravie Comite et Archebaldo, Comite Ergadie Domino Campbell et Lorne; et Malcomo Domino Flemyng, Magno Camerario nostro. Dilectis nostris familiaribus, Thoma Erskin de Brechin, milite, Secretario nostro, Jacobo Kyrkcaldy de Grange, Thesaurario nostro. David Wod de Crag, compotorum nostrorum Rotulatore. Magistris, Jacobo Foulis, de Colintoun, nostrorum Rotulorum Registri ac Concilii Clerico, et Thoma Bellenden de Auchnoule, nostre Cancellarie Directore. Apud Linlithgow. Quarto Die Mensis Decembris. Anno Domini. Millesimo quingentessimo quadragessimo secundo. Et Regni nostri, trigesimo.

JAMES, BY THE GRACE OF GOD, KING OF SCOTS. To all his good men of his whole land, Churchmen and Laymen, Greeting. Know ye, that whereas the Town of Haddington, by our most noble predecessors, of good memory, on whose souls may God have mercy, was granted as a free Royal Burgh

with all privileges pertaining to a free Burgh, and as such was by the inhabitants of the same for times beyond the memory of man possessed and held : but the inhabitants of the said Burgh have been interfered with, molested, and oppressed during war and other troublesome times by the gentlemen and others round about it, owing to the want in past times of a Provost to rule and govern them, so that the said indwellers have fallen into great poverty. We, therefore, moved by pity and willing to cause an immediate remedy for the above, for the special favour and affection which we have for and bear towards the said Burgh and its inhabitants, and for the improvement and increase of justice in it, have infeft, given, and granted heritably, and for us and our successors, for ever have confirmed, and by the tenor of this our present Charter do infeft, give, and grant heritably, and for us and our successors, for ever do confirm to the Bailies, Burgesses, Councillors, and Community of the said Burgh and their successors, all and whole their Moor of Gladsmoor, with pertinents lying near the liberty and territory of the said Burgh within the Sheriffdom of Edinburgh and the Constabulary of Haddington. And also, Ralph Eglyns Acres and two acres called Hangman's Acres, and likewise the Harbour of Aberlady at the mouth of the Peffer water, with the anchorage, money, and all other privileges, customs, profits, and dues of a free port, along with all and sundry lands, rentals, and possessions whatsoever that belonged to the said Burgh in past times ; with full power to them and their successors to break up, cultivate, and dig, and to make mills, mill lands, and mill dams upon it, and to search for and work quarries and coals in it to their best advantage and profit. And to let on lease or feu it, either in whole or in part, in, as it may seem good, Burgh riggs to their coburgesses, dwelling with the said Burgh, merchants

or craftsmen of the same, for the purposes of the above repairings and buildings. Also with full power to the Bailies, Councillors, and Community of the said Burgh of the present time and their successors there, to choose, appoint, and have a Provost, Bailies, and other Officers, in all time coming for their rule and government, Burgesses dwelling in the Burgh, merchants or craftsmen only, and no others, being annually chosen. And to have and hold a Market Cross, a Court House, and a Market Day weekly on Saturday, and public fairs yearly on Saint Peters day, and on the feast of St John the Baptist, called Midsummer Day and for the eight days immediately following them, with tolls, customs, and all other privileges of a free fair and likewise hold Burgh Courts within the said Burgh, and to sell and buy wine, wax, or any merchandise whatsoever, and with all rights and privileges enjoyed and possessed by the the said Burgh or its inhabitants by former grants. We also, for the above-mentioned causes, and by the tenor of this our present Charter, make, constitute, and ordain the Provost, and Bailes, of the said Burgh and their successors for all future times, Sheriffs of Haddington within the said Burgh its liberties and territories, granting them full power and liberty to open, fence, and hold Sheriff Courts of the said Sheriffdom within all bounds and liberties of the said Burgh for the inhabitants thereof, and for all others that it may concern, and as often as it may be necessary to continue them ; to cause suits to be called, to fine absentees and to punish transgressors, to impose and receive bludwites, issues, fines, and escheats in the above-mentioned Burgh and Sheriff Courts within these said bounds, the fines being used and applied for the general good of the said Burgh and its general improvement. And, if it be necessary to poind and distrain for their recovery, and power to replege, bring back and recall, Burgesses or inhabitants

of the said liberty and territory who may be arrested or apprehended, by whatsoever judge or judges, whether spiritual or temporal, to the privilege and liberty of the said Sheriff and Burgh Courts ; producing and finding, however, surety of Coloraith, to the pursuers, that justice shall be administered to the parties replegiated within due time. And to make, create, and appoint and cause to be sworn, a clerk, a sergeant, and a judge and all other officials and members requisite for the Court, for which they will be held responsible. Brieves from our Chancery, sued or to be sued by whatever person and persons, and directed or sent to the said Provost and Bailies, shall be received and opened, and they shall cause them, to be proclaimed in due form, in all points, and to be served. And all letters, to them directed, concerning cognitions or any other actions, they shall receive and cause to be executed in due form. All actions, causes, and pleas moved before them, they shall discuss, discern, and decree according to justice. And they shall grant acts, decreets, and sentences, interlocutory and diffinitive, in the above and put them to due execution as may be necessary. They shall justify and put to death all persons committing crimes worthy of death, within the said Burgh and liberty and territory of the same, and all lesser crimes they shall punish. And they shall intromit with and raise all the escheats, goods, bloodwytes, and issues, and dispose of them for the general good and profit of the said Burgh. And generally, all and sundry, they shall do, perform, carry on, and exercise in the above, whatever may be necessary or proper in any manner, firmly, stably, steadily, and fully. And the said Provost and Bailies shall do, all and sundry, whatever may belong to, or which may be held to belong to, or which they may rightly consider to belong to the said office. To be held and to be had, all and whole, the said Burgh, Moor and lands of Glads-

mure, and acres of land above described, with the above-mentioned Harbour of Aberlady, with its rights, customs, and duties, and all other duties, and all other lands and annual rents belonging to the said Burgh, as well as to the Office of Sheriff within the said Burgh and its liberty and territory, by the said Provost, Bailies, Burgesses, and Community, and their successors, in free burgage, feu and heredity, for ever, by all its old true marches and boundaries, as they lie in length and breadth, in lands, annuals, woods, possessions, pastures, moors, and marshes, roads, paths, rivers, ponds, streams, meadows, and hay fields, with right of entry and exit. And with, all and whole, liberties, commodities, profits, and easements, and rights whatsoever, as well not mentioned as mentioned, above ground as well beneath the ground, near and far, belonging to, or that may be considered to belong in future to the said Burgh, moor, lands, and harbour, with its rights, customs, duties, and all its above-mentioned lands and annual rents, and to the above-mentioned Office of Sheriff, with all its pertinents, freely, quietly, fully, wholly, honourable, well, and in peace, without any revocation or contradiction whatever. Paying therefore yearly, the said Provost, Bailies, Burgesses, and Community, and their successors, to us and to our successors, the duties used and wont. In witness of which we have ordered our Great Seal to be affixed to this, our Charter. Witnesses: The most Reverend and Reverend Fathers in Christ, Gavin, Archbishop of Glasgow; George, Bishop of Dunkeld; our dear natural brother and cousin, James, Earl of Moray; Archibald, Earl of Argyle, Lord Campbell and Lorn; Malcolm Lord Fleming, our great Chamberlain; our beloved servants, Thomas Erskin of Brechin, knight, our secretary; James Kirkcaldy of Grange, our Treasurer; David Wood of Craig, our Comptroller; Masters James Foulis of Colintoun, Clerk

of our Rolls, Register, and Council, and Thomas Bellenden of Auchnoule, Director of our Chancery. At Linlithgow, 4th day of December, A.D., one thousand five hundred and forty two, and of our reign the thirtieth year.

PRECEPT OF SASINE, under Great Seal, on above Charter.—Linlithgow, 4th December, 1542.

(Original in Burgh Charter Room.)

JACOBUS DE GRACIA, REX SCOTTORUM, Vicecomite et ballivis suis de Edinburgh infra constabularium de Hadington, necnon delictis nostris Georgeo Fourrois . . . . . ac eorum cuilibet conjunctim et divisim vicecomitibus nostris de Edinburgh infra constabulariam de Hadingtoun. Salutem. Quia dedimus concessimus ac pro nobis et nostris successoribus pro perpetuo confirmavimus hereditarie ballivis burgensibus consulibus et communitati Burgi nostri de Hadingtoun et eorum successoribus. Totam et Integram ipsorum Moram de Gladismure cum pertinenciis jacentem prope libertatem et territorum predicti Burgi infra vicecomitatum de Edinburgh et Constabularium de Hadington. Ac etiam Raufeglynis akeris et duas acras nuncupatur Hangmannis akeris et similiter portum de Abirlady in sinu aque de Pepher cum ancorarum moneta et omnibus aliis privilegiis custumis profituis et divoriis liberi portus unacum omnibus et singulis aliis terris annuis redditibus et possessionibus quibuscunque ad dictum burgum aliquibus temporibus retroactis spectantibus. Insuper fecimus constituimus et ordinamus prepositum et ballivos dicti Burgi omnibus temporibus affuturis eligentes et eorum successores vicecomites de Hadingtoun infra

burgum ejusdem libertatem et ipsius territorum temporibus affuturis prout in carta nostra desuper confecta plenius continetur. Vobis precipimus et mandamus quatinus prefatis ballivis consulibus burgensibus et communitati dicti Burgi vel suis certis actornatis latoribus presentium Sasinam predicte more terrarum Gladismure ac terrarum et acrarum supracriptarum, unacum memorato portu de Abirlady privilegiis, divoriis et custumis ejusdem ac cum omnibus aliis terris et annuis redditibus ad predictum burgum spectantibus. Necnon dicti officii vicecomitis infra prescriptum burgum libertatem territorum ejusdem cum pertinenciis secundum tenorem dicte carte nostre, quam de nobis inde habent, juste haberi faciatis, et sine delatione et hoc nullo modo omittatis, ad quod faciendum, vobis et vestrum cuilibet conjunctim et divisim vicecomitatibus nostris de Edinburgh infra Constabulariam de Hadingtoun, committimus potestatem. Datum sub testimonio nostri Magni Sigilli. Apud Linlithgow quarto die mensis Decembris. Anno Domini, Millesimo quingentessimo quadragessimo secundo, et Regni Nostri trigesimo.

JAMES, BY THE GRACE OE GOD, KING OF SCOTS, to his Sheriff and Bailies of Edinburgh, within the Constabulary of Haddington, and to our lovites, George Forrest . . . . . and each of them, jointly, and severally, our Sheriffs of Edinburgh, within the Constabulary of Haddington. Greeting. Because we have given and granted, and for us and our successors, for ever have confirmed hereditarily to the Bailies, Burgesses, Councillors, and Community of our Burgh of Haddington and their successors, all and whole their Moor of Gladismoor, with its pertinents lying near the liberty and territory of the said Burgh, within the Sheriffdom of Edinburgh and Constabulary

of Haddington, and also Ralph Eglyn's Acres and two acres called Hangman's Acres, and likewise the Harbour of Aberlady at the mouth of Peffer Water, with anchorage money, and all other privileges, customs, profits, and dues of a free harbour, along with all and sundry lands, annual rents, and possessions whatsoever, belonging to the said Burgh in any time past. Also, we have made, constituted, and ordained the Provost and Bailies of the said Burgh elected in future times and their successors, Sheriffs of Haddington within the town and liberties and territory thereof for all future times as is contained more fully in our Charter granted above. We order and command that, to the said Bailies, Councillors, Burgesses, and Community of the said Burgh or to their attorneys, on presentation of this present, of the said Moor of Gladismoor, and lands and acres above described, and to the afore-mentioned Harbour of Aberlady, with its privileges, dues, and customs, and of all lands and annual rents belonging to the said Burgh; and also of the Office of Sheriff within the said Burgh, the liberty and territory thereof, with its pertinents, according to the tenor of our said Charter, which they have from us, that you shall give Sasine, and that without delay, or without any omission. And to you, jointly and severally, our Sheriffs of Edinburgh, within the Constabulary of Haddington, we commit full power for doing this. Given under the testimony of our Great Seal. At Linlithgow, fourth day of December, A.D., 1542, and of our Reign the 30th year.

INSTRUMENT OF SASINE on the above Charter.—10th Nov., 1543.

IN DEI NOMINE AMEN. Per hoc, etc., 10th November, 1543. . . . . Quo die honorabilis vir Magister Willelmus Broun prepositus Burgi de Hadingtoun adivit personalem presentiam honorabilis viri Henrici Cokburne vicecomitis deputati de Edinburgh infra Constabulariam de Hadingtoun : et eidem Henrico presentavit et deliberavit unum preceptum Sasine quondam Serenissimi Regis nostri Jacobi quinti, cujus anime Deus miseretur, datum sub testimonio sui magni Sigilli, more solite, requirendum eundem Henrlcum pro exequutione debita facienda ejusdem precepti. Quiquidem vicecomes deputatus, reverentia debita, illud recepit et mihi, notario publico, subscripto, ad perlegendum dedit, cujus tenor sequitur et est talis :—Jacobus Dei Gracia, etc. . . . . [precept as on page 37]. Post cujusdam precepti lecturam et intelligentiam, virtute et vigore ejusdem prefatus Henricus Cokburne, vicecomes deputatus predictus, accessit ad prenominatam moram de Gladismure et super ejusdem more fundum ac solum, virtute et vigore prescripti precepti, per terre et lapidis traditonem, statum, sasinam hereditariam ac possessionem corporalem, realem, et actualem, de tota et integra mora prefata cum suis pertinenciis Magistro Willelmo Broun preposito dicti Burgi, nomine ballivorum, burgensium et consulum Burgi de Hadingtoun tradidit pariter et deliberavit. Et de hinc idem Henricus vicecomes preloquitus accessit ad portum de Abirlady in sinu aque de Pepher et ibidem per terre et lapidis ejusdem fundi traditionem statum, possessionem realem, corporalem et actualem ac sasinam hereditariam, cum ancorarum moneta, cum omnibus aliis privilegiis custumis, proficuis

et divoriis, liberi portus ac suis pertinenciis, predicto Magistro Willelmo Brown preposito dicti Burgi, nomine ballivorum et consulum burgensiumque dicti Burgi de Hadingtoun dedit pariter et deliberavit; ac etiam predictus Henricus vicecomes accessit ad unam domum constructam super eundem portum de Abirlady, et ibidem per terre et lapidis traditionem ejusdem, statum, sasinam hereditariam et possessionem corporalem, realem et actualem prefato Magistro Willelmo Broun nomine quo supra dedit pariter et deliberavit. Et de hinc idem Henricus vicecomes prescriptus accessit ad acras vocatas vulgariter Rafeglenis akaris et ibidem super fundum dictarum acrarum, per terre et lapidis traditionem, ejusdem fundi statum, sasinam hereditariam et possessionem realem corporalem et actualem de predictis acris cum pertinenciis Magistro Wilellmo Broun preposito predicto, nomine quo supra dedit pariter et deliberavit. Et de inde idem Henricus vicecomes accessit ad duas acras terre, vulgariter, vocatas Hangmannis akaris et super fundum dictarum duarum acrarum per terre et lapidis ejusdem fundi traditionem, statum sasinam hereditariam possessionem corporalem realem et actualem predictarum duaram acrarum cum pertinciis Magistro Willelmo Brown, predicto, et nomine quo supra dedit pariter et deliberavit. Et immediate post hoc Georgius Fourrois vicecomes infrascriptus virtute et vigore prescripti precepti accessit ad Crucem Foralem dicti Burgi de Hadingtoun et ibidem per deliberationem unius virge albe Magistro Willelmo Brown, nomine ballivorum consulum et burgensium ac commnnitatis predicti Burgi, statum, sasinam hereditariam et possessionem actualem realem et corporalem Officii Vicecomitatus infra predictum Burgum, libertatem et territorium ejusdem, secundum tenorem precepti et carte super hiis confecti. Super quibus, omnibus et singulis respective, prefatus

Magister Willelmus Broun prepositus dicti Burgi de Hadingtoun et nomine quo supra, a me, notario publico subscripto, peciit instrumentum seu instrumenta publicum seu publica. Acta erant hoc apud dictas terras, portum et Crucem, horas circiter primam, secundam, terciam et quartam pomeridianas aut eocirca. Presentibus ibidem, honorabilibus viris, Johanne Peirsoun, uno ballivorum dicti Burgi, Thoma Pountoun, Johanne Kemp, Johanne Archear, Willelmo Thomsoun, Adamo Cokburne, Johanne Lougane, Johanne Broun, et Willelmo Masoun serjando, et Alexandro Symsoun, conotario cum diversis aliis testibus ad hoc requisitis atque rogatis,

Et Ego dominus Alexander Henrysoun,
Presbyter Sanctandree Diocesis, etc.

IN THE NAME OF GOD, AMEN. By this, etc., 10th November, 1543, ... on which day an honourable man, Master William Brown, Provost of the Burgh of Haddington, came to the personal presence of an honourable man, Henry Cockburne, Sheriff-depute of Edinburgh, within the Constabulary of Haddington, and to the said Henry presented and delivered a Precept of Sasine of our late Most Serene King, James V, on whose soul may God have mercy, given under testimony of the Great Seal according to custom, requiring the said Henry to put the same to due execution. Which the said Sheriff-Depute, with due reverence, received, and gave it to me, notary pnblic, to read; the tenor of which is the following:— James, by the Grace of God, etc., [Precept as on page 38]. . . . . .

After the reading and understanding of which Precept, and by the virtue and strength of it, the said Henry Cockburne, Sheriff-Depute, went to the above-mentioned

Moor of Gladsmoor, and upon the ground and land of the same, according to the said Precept, by the handing of earth and stone, gave and granted state, heritable sasine, and real, true, and corporeal possession of, all and whole, the said Moor and its pertinents to Master William Brown, Provost of the said Burgh, in name of the Bailies, Burgesses and Council of the Burgh of Haddington. And thence the said Henry, Sheriff aforementioned, went to the Harbour of Aberlady, at the mouth of the Peffer water, and there, by the handing of earth and stone of the said ground, gave and granted state, real, corporeal, and true possession, and heritable sasine, with ancorage-money, and with all other privileges, customs, profits, and dues of a free harbour, to the said Master William Brown, Provost of the said Burgh, in name of the Bailies, Council and Burgesses of the said Burgh of Haddington. The said Sheriff Henry also went to a house built at the said Harbour of Aberlady, and there, by handing earth and stone, gave and granted to the said Master William Brown, in the name of, as above, state, heritable sasine, and corporeal, real and true possession. And from here, the said Sheriff Henry went to the Acres, commonly called Raufeglynis Acres, and there upon the ground of the said Acres, by handing over earth and stone of the ground, gave and granted state, heritable sasine, and real, corporeal, and true possession of the said Acres, with their pertinents, to Master William Brown, the Provost above-mentioned, in the name of, as above. And thence the same Sheriff Henry went to two Acres of land, commonly called, the Hangman's Acres, and upon the soil of the said two acres, by handing earth and stone of the same, gave and granted state, heritable sasine, and corporeal, real, and true possession, to Master William Brown above-mentioned, in the name of, as above. And immediately thereafter, George Fourrois, Sheriff

after-mentioned, by the strength and authority of the said Precept, went to the Market Cross of the said Burgh of Haddington, and there by delivery of a white wand to Master William Brown, in name of the Bailies, Council, and Burgesses of the said Burgh (gave and granted) state, heritable sasine, and possession, true, real, and corporeal of the Office of Sheriff, within the said Burgh, its liberty and territory, according to the tenor of the Precept and Charter granted thereupon. Upon which, all and sundry respectively, the said Master William Brown, Provost of the said Burgh of Haddington, and in the name of, as above, asked, from me, notar publict subscribed, public instrument or instruments. These things were done at the said Lands, Harbour, and Cross, about one, two, three, or four o'clock afternoon, or thereabout. There were present, honourable men, John Peirsoun, one of the Bailies of the said Burgh, Thomas Pountoun, John Kemp, John Archear, William Thomsoun, Adam Cokburne, John Lougane, John Broun, William Masoun sergeant, and Alexander Symsoun, brother notar public, with many other witnesses called and specially asked.

And I, Sir Alexander Henryson, Presbyter of Diocese of St Andrew, etc., etc.

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